

**OFFICE OF THE STATE APPELLATE PUBLIC DEFENDER
STRATEGIC PLAN
FY2008**

1. MISSION

Upon appointment by an Idaho district court, and within its jurisdiction as defined by Idaho Code § 19-870, the Office of the State Appellate Public Defender (SAPD) will provide representation for indigent defendants in felony criminal actions in the following cases: appeals from felony convictions in district court, appeals from the district court in post-conviction relief proceedings brought pursuant to the uniform post-conviction procedure act, Chapter 49, Title 19, Idaho Code, appeals from the district court in habeas corpus proceedings brought pursuant to Chapter 42, Title 19, Idaho Code, post-conviction relief proceedings in district court in capital cases and the subsequent direct appeal in the capital case.

The Office of the SAPD must provide legal service that first and foremost serves the best interest of the clients. However, that obligation must be balanced with the obligation of the agency head to be accountable to the relevant constituent groups. The Office of the SAPD is committed to strengthening the voice of, and resources available to, the Idaho indigent defendants and Idaho public defenders.

2. VISION

The Office of the SAPD was created in 1998. During FY05, the appointed agency head assessed the structure, management and quality of service provided and noted some deficiencies in an internal audit. To provide a more objective analysis, during FY06, the SAPD hired an outside agency to perform an audit on the structure, management and quality of service provided by the SAPD. While it was anticipated those results would be available sooner, it is now anticipated that the results will be available by August 30, 2007. The SAPD then intends to address any noted deficiencies or problems identified by the audit.

Deputy SAPD's will continue to engage in a legal practice that comports with national standards and expectations of defense counsel. Whether the task is capital litigation or non-capital appellate work, the Office of the SAPD is strongly committed to providing all staff, including the support staff, with the knowledge, training, and skills necessary to effectively represent the indigent defendant. The Office of the SAPD will continue to run a technology-based, team-oriented, efficient law office. The Office of the SAPD will continue to implement a flexible schedule encompassing telecommuting and wireless internet access that will promote productivity and increase morale. The Office of the SAPD envisions improving the Internet site, which will inform and instruct defense attorneys and facilitate communication with the staff of the Office of the SAPD.

More and more frequently, the Office of the SAPD serves as a resource for the defense bar, particularly the Idaho public defenders, on trial and appellate issues, thus, the Office of the SAPD should also begin training these public defenders to improve the quality of service and increase the efficiency of the criminal justice system. The Office of the SAPD will strengthen its ties with the Idaho State Bar, providing and participating in continuing legal education to the Idaho legal community. The Office of the SAPD is committed to becoming a valuable member of its immediate community and the State of Idaho.

GOAL ONE: To comply with the standards for public defender offices as established by the American Bar Association and the National Legal Aid and Defender Association for law office management.

OBJECTIVES	PERFORMANCE MEASURES/TARGETS	BENCHMARKS	EXTERNAL FACTORS	ACHIEVEMENT OF GOALS
Identify and resolve the deficiencies, if any, of the Office of the SAPD's structure, management and performance when compared to national standards. ¹	100% resolution with of deficiencies.	25% by end of FY07 50% by end of FY08 75% by end of FY09 100% by end of FY10	The draft of the audit summary is scheduled to be completed by September 30, 2006. However, because the final report then must be reviewed by the National Legal Aid and Defender Association, the release date of the final Audit Summary will depend on when the NLADA completes review of the report.	Because the report has not yet been released, SAPD does not yet know what, if any, deficiencies must be identified. As such, SAPD is not able to determine whether it has met the Benchmark.
			Funding: some of the deficiencies may require additional staff or funding to implement, thus preventing completion unless an additional appropriation is made.	

¹ See www.nlada.org/defender/defender_standards and www.abanet.org/crimjust/standards.

Goal Two: To become an information center for public defenders, the bar, the public, the courts, and the counties served by the Office of the SAPD.

OBJECTIVES	PERFORMANCE MEASURES/TARGETS	BENCHMARKS	EXTERNAL FACTORS	ACHIEVEMENT OF GOALS
To increase communication with the public defenders, the bar, the courts, the general public, and counties in order to substantially increase the constituencies' awareness of the value of the Office of the SAPD.	Website 100% complete.	Completion date of December 31, 2006	Workload of individual creating website may be too heavy to meet deadline depending on new cases coming in.	Website is 95% complete. Estimated up and running date is August 1, 2006.
	CLE taught in each judicial district for public defenders, prosecutors, or court personnel.	100% achievement each Fiscal Year. CLE developed by October, 2006 with delivery 100% in judicial districts annually.	Interest/availability of public defenders and court personnel to attend a CLE.	Jurisdictions were contacted regarding areas of interest for CLE. Most responded positively. However, funding limitations preclude travel to the jurisdictions. Money has been allocated in FY08 for this training.
	100% attendance on at least 2 court sponsored committees in each of the next 4 fiscal years.	100% achievement each Fiscal Year.		100% achieved. SAPD has consistently participated in drug coordinating committee, the Appellate Rule Committee, the Rules Evidence Committee, Criminal Justice Commission and
	Have at least 20% of the staff attorneys volunteer for Law Day activities.	Reviewed annually and with a 5% increase in participation for each fiscal year following FY07. FY07 20% FY08 25% FY09 30% FY10 35%	Interest / availability of staff attorneys to participate in law day.	This year, 2 attorneys (10%) volunteered for law day. One of the attorneys participated in an Argument at a local school before the Appeals.

	Respond to governmental agency requests within a maximum of 5 business days.	Reviewed monthly with compliance as follows: 50% in FY07 75% in FY08 100% in FY09		This has proven on track, as many of governmental agencies making requests from individuals who serve on various committees with the SAPD. These requests have not been tracked and this goal needs to be defined.

Goal Three: To determine the feasibility of establishing a state-wide public defender system in the State of Idaho.

OBJECTIVES	PERFORMANCE MEASURES/TARGETS	BENCHMARKS	EXTERNAL FACTORS	ACHIEVEMENT OF GOALS
Study the indigent defense delivery system, including felonies and misdemeanors, adult and juvenile cases.	Completion date of March, 2010.	Obtain 100% of grant funding by March, 2007.	There may not be sufficient grant opportunities to cover the cost of the study. This would mean that the difference would have to be covered in another fashion or the study could not take place.	100% achieved. The Criminal Justice Commission has to undertake this with National Legal and Defender Association (NLADA) doing the work and compiling report. The NLADA provided 100% of grant funding for project.
			The timing of the grant awards may take longer than the deadlines set forth above.	N/A
		Consulting firm selected and hired – 100% complete by October, 2007.	There may not be a sufficient number of interested agencies to get a valid pool of applicants for the RFP.	100% completed 2007.
		100% completion of study by March, 2009.	The site visits, compilation of data and completion of the report will be within the complete control of the Organization hired. These time frames may not comport with other obligations the Organization may have, resulting in a delay in the completion of the study.	Site visits begin April 2007.
		Select appropriate model by March, 2010.	Completion of this objective is dependent upon date by which we	

			receive the Evaluation Summary.	
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